

Panaji, 20th March, 2003 (Phalguna 29, 1924)

SERIES I No. 51

OFFICIAL GAZETTE



GOVERNMENT OF GOA

Note: There are two Extraordinary issues to the Official Gazette Series I No. 50 dated 13-3-2003, as follows:—

- (1) Extraordinary dated 14-3-2003 from pages 1325 to 1326 regarding Notification from Department of Transport.
- (2) Extraordinary (No. 2) dated 19-3-2003 from pages 1327 to 1330 regarding Notifications from Department of Civil Supplies and Consumer Affairs.

GOVERNMENT OF GOA

Department of Law & Judiciary

Legal Affairs Division

Order

2-5-(4)91-LD

Sanction of the Government is hereby conveyed for the creation of the following posts in the establishment of Administrative Tribunal, Panaji:—

Sr. No.	Designation of the Post	No. of Posts	Scale of Pay/Classification
1.	Additional President	1	Rs. 14300-400-18300 (Group 'A' Gazetted)
2.	Stenographer	1	Rs. 4000-100-6000 (Group 'C' Non-Gazetted)
3.	L. D. C.	1	Rs. 3050-75-3950-80-4590 (Group 'C' Non-Gazetted)
4.	Bailiff	1	Rs. 2750-70-3800-75-4400 (Group 'D' Non-Gazetted)
5.	Peon	1	Rs. 2550-55-2660-60-3200 (Group 'D' Non-Gazetted)

The expenditure is to be debited to the Budget Head "2070-Other Administrative Services, 800-Other Expenditure, 01-Administrative Tribunal (Non-Plan), 01-Salaries under Demand No. 28".

This issues as per recommendation of A.R.D. and concurrence of Finance (Rev. & Cont.) Department

vide their U. O. No. Fin (Rev. & Cont.) 3340/2002 dated 2-12-2002.

By order and in the name of the Governor of Goa.

Mario da Silva, Under Secretary (Law).

Panaji, 25th February, 2003.

Notification

10/4/99/LA-Vol.IV

The Notification No. II 13013/14/2001-Legal Cell dated 9th January, 2002, of the Government of India, Ministry of Home Affairs, New Delhi, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 28th February, 2003.

Government of India

MINISTRY OF HOME AFFAIRS

Notification

New Delhi, the 9th January, 2002

G.S.R.(E).— In exercise of the powers conferred by sub-section (1) read with clause (i) of sub-section (2) of section 62 of the Prevention of Terrorism (Second) Ordinance, 2001 (12 of 2001), the Central Government hereby makes the following rules regulating the conditions of service of the Chairperson and members of the Review Committee, namely:—

1. *Short title and commencement.*— (1) These rules may be called the Review Committee (Qualifications for appointment and other conditions of service of the Chairperson and members) Rules, 2002.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. *Definitions.*— In these rules, unless the context otherwise requires,—

(a) "*Chairperson*" means the Chairperson of the Review Committee constituted under sub-section (1) of section 60 of the Ordinance;

(b) "*member*" means the member of the Review Committee constituted under sub-section (1) of section 60 of the Ordinance;

(c) "*Ordinance*" means the Prevention of Terrorism (Second) Ordinance, 2001 (12 of 2001);

(d) all other words and expressions used in these rules but not defined in these rules and defined in the Ordinance shall have the meanings respectively assigned to them in the Ordinance.

3. *Constitution.*— The Review Committee constituted by the Central Government or, as the case may be, the State Government shall consist of a Chairperson and such other members not exceeding three.

4. *Qualifications for appointment.*— (1) The Central Government or, as the case may be, the State Government may, by notification in the Official Gazette, appoint a person as the Chairperson of the Review Committee possessing the qualifications as specified in sub-rule (2) of this rule.

(2) A Chairperson of the Committee shall be a person who is, or has been, a Judge of High Court, who shall be appointed by the Central Government, or as the case may be, the State Government, so however, that the concurrence of the Chief Justice of the High Court shall be obtained in the case of a sitting judge:

Provided that in the case of a Union Territory, the appointment of a person who is a Judge of the High Court of a State shall be made as a Chairperson with the concurrence of the Chief Justice of the concerned High Court.

(3) The Central Government or, as the case may be, the State Government, may by notification in the Official Gazette, appoint a person as member of the Review Committee who is, or has been an officer not below the rank of a Secretary to the concerned Government or of an equivalent rank.

5. *Salary and allowances of Chairperson and other members.*— (1) The Chairperson of the Review Committee shall be entitled to a monthly salary and allowances at the same rate as is admissible to a Judge of a High Court.

(2) The Chairperson of the Review Committee shall be entitled to a rent free accommodation.

(3) A member of the Review Committee shall continue to draw such pay and allowances and other facilities as is admissible to the Secretary to the concerned Government.

(4) Where a person, who has been a Judge of a High Court is appointed as Chairperson or, as the case may be, a person retired from service under the Government is appointed as a member after such retirement, the salary admissible shall be reduced by the amount of pension or pension equivalent of any other from of retirement benefits.

6. *Term of Office.*— The Chairperson and every member shall hold office for a term of two years from the date on which he assumes office:

Provided that the term of office of the member shall be coterminous with his tenure with the Central Government or, as the case may be, the State Government.

7. *Resignation and Removal.*— (1) The Chairperson or any member may, by notice in writing under his hand addressed to President, resign his post.

(2) The President may, by order, remove a person from the office of the Chairperson or member if that person,—

(i) is adjudged an insolvent; or

(ii) is engaged during his term of office in any paid employment outside the duties of his office; or

(iii) is, in the opinion of the President, unfit to continue in office by reason of infirmity of mind or body; or

(iv) gets convicted and sentenced to imprisonment for an offence which in the opinion of the President involves moral turpitude; or

(v) refuses to act or becomes incapable of acting:

Provided that the Chairperson or any member shall not be removed under this sub-rule until he has been given a reasonable opportunity of being heard in the matter.

8. *Residuary Provisions.*— The matters relating to the conditions of service of the Chairperson or other members of the Review Committee with respect to which no express provision has been made in these rules shall be referred in each case to the Central Government or, as the case may be, the State Government for decision and the decision of the concerned Government thereon shall be binding on the Review Committee constituted by that Government.

Smt. Sangita Gairola,
Joint Secretary to the Govt. of India.
(File No. II 13013/14/2001-Legal Cell).

Notification

10/4/99/LA-Vol.IV

The Notification No. 13013/14/2001-Legal Cell dated 13th May, 2002, of the Government of India, Ministry of Home Affairs, New Delhi, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 28th February, 2003.

Government of India

MINISTRY OF HOME AFFAIRS

Notification

New Delhi, the 13th May, 2002

G. S. R.....(E).— In exercise of the powers conferred by sub-section (1) read with clause (i) of sub-section (2) of section 62 of the Prevention of Terrorism Act, 2002 (15 of 2002), the Central Government hereby makes the following rules to amend the Review Committee (Qualifications for appointment and other conditions of service of the Chairperson and members) Rules, 2002, namely:—

1. (1) These rules may be called the Review Committee (Qualifications for appointment and other conditions of service of the Chairperson and members) Amendment Rules, 2002.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Review Committee (Qualifications for appointment and other conditions of service of the Chairperson and members) Rules, 2002 (hereinafter referred to as the said rules), in rule 5, sub-rule (4) shall be omitted.

3. In the said rules, after rule 5, the following rule shall be inserted, namely:—

"5A. *Fee or allowances of Chairperson and members on appointment after retirement.*— Where a person, who has been a Judge of a High Court is appointed as Chairperson or, a person retired from service is appointed as a member of a Review Committee constituted by the Central Government or, as the case may be, the State Government, he shall be entitled to such fee or allowances on part-time or sitting or per case basis, as may be specified by the Central Government or, as the case may be, the State Government, from time to time".

4. In the said rules, in sub-rule (2) of rule 7 for clause (ii), the following clause shall be substituted, namely:—

"(ii) is engaged during his term of office in any paid or honorary employment which is not in consonance with the duties cast on him as Chairperson or, as the case may be, member of the Review Committee constituted under the Act; or"

A. K. Jain,
Joint Secretary to the Govt. of India.
[File No. 13013/14/2001-Legal Cell].

(Note:— The principal rules were published in the Gazette of India, Extraordinary vide number GSR. 17(E) dated 9th January, 2002).

Notification

10/4/99/LA-Vol.IV

The Order No. II/13014/10/2001-Legal Cell dated 24-6-2002, of the Government of India, Ministry of Home Affairs, New Delhi, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 28th February, 2003.

Government of India

MINISTRY OF HOME AFFAIRS

Order

New Delhi, the 24th June, 2002

S.O.(E).— In exercise of the powers conferred by clause (a) of sub-section (2) of section 18 of the Prevention of Terrorism Act, 2002 (15 of 2002), and on being satisfied that the Dukhtaran-e-Millat (DEM) is involved in terrorism, the Central Government hereby adds the organisation aforesaid to the Schedule to the said Act, with effect from the date of publication of this Order,

and the said Schedule shall stand amended as under:

SCHEDULE

(See section 18)

"29. Dukhtaran-e-Millat (DEM)".

A. K. Jain,

Joint Secretary to the Govt. of India.
[File No. II/13014/10/2001-Legal Cell].

Note: The Schedule to the Prevention of Terrorism Act, 2002 was earlier amended by the order published in the Gazette of India vide number—

- (i) S. O. 382(E) dated 3-4-2002; and
- (ii) S.O. 398(E) dated 9-4-2002 read with 469(E) dated 29-4-2002.

Notification

10/4/99/LA-Vol.IV

The Order No. II/13014/10/2001-Legal Cell dated 1st July, 2002, of the Government of India, Ministry of Home Affairs, New Delhi, is hereby published for general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 28th February, 2003.

Government of India

MINISTRY OF HOME AFFAIRS

Order

New Delhi, the 1st July, 2002.

S.O.(E).— In exercise of the powers conferred by clause (a) of sub-section (2) of section 18 of the Prevention of Terrorism Act, 2002 (15 of 2002), and on being satisfied that the Tamil Nadu Liberation Army (TNLA), the Tamil National Retrieval Troops (TNRT) and the Akhil Bharat Nepali Ekta Samaj (ABNES) are involved in terrorism, the Central Government hereby adds the organisations to the Schedule to the said Act, with effect from the date of publication of this Order, and the said Schedule shall stand amended as under:

SCHEDULE

(See section 18)

- "30. Tamil Nadu Liberation Army (TNLA),
- 31. Tamil National Retrieval Troops (TNRT),
- 32. Akhil Bharat Nepali Ekta Samaj (ABNES)."

A. K. Jain,

Joint Secretary to the Govt. of India.
[File No. II/13014/10/2001-Legal Cell].

Note: The Schedule to the Prevention of Terrorism Act, 2002 was earlier amended by the orders published in the Gazette of India vide number—

- (1) S. O. 382(E) dated 3-4-2002;
- (2) S. O. 398(E) dated 9-4-2002 read with 469(E) dated 29-4-2002; and
- (3) S. O. 660(E) dated 24-6-2002.

Notification

10/4/99/LA-(Vol. IV)

The Tea Districts Emigrant Labour (Repeal) Repealing Act, 2002 (Central Act No. 27 of 2002), which has been passed by the Parliament and assented to by the President of India on 27-5-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-5-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

**THE TEA DISTRICTS EMIGRANT LABOUR
(REPEAL) REPEALING ACT, 2002**

AN

ACT

to repeal the Tea Districts Emigrant Labour (Repeal) Act, 1970.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Tea Districts Emigrant Labour (Repeal) Repealing Act, 2002.

2. *Repeal of Act 50 of 1970.*— The Tea Districts Emigrant Labour (Repeal) Act, 1970 is hereby repealed.

Notification

10/4/99/LA-(Vol. IV)

The National Institute of Pharmaceutical Education and Research (Amendment) Act, 2002 (Central Act No. 28 of 2002), which has been passed by the Parliament and assented to by the

President of India on 27-5-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-5-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

THE NATIONAL INSTITUTE OF PHARMACEUTICAL EDUCATION AND RESEARCH (AMENDMENT) ACT, 2002

AN

ACT

to amend the National Institute of Pharmaceutical Education and Research Act, 1998.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the National Institute of Pharmaceutical Education and Research (Amendment) Act, 2002.

2. *Amendment of section 4 of Act 13 of 1998.*— In section 4 of the National Institute of Pharmaceutical Education and Research Act, 1998, in sub-section (4), the following proviso shall be inserted, namely:—

"Provided that the terms of office of a member nominated under clause (c) of sub-section (3) shall come to an end as soon as he becomes a Minister or Minister of State or Deputy Minister, or the Speaker or the Deputy Speaker of the House of the People, or the Deputy Chairman of the Council of States, or ceases to be a member of the House from which he was nominated."

Notification

10/4/99/LA-(Vol. IV)

The Indian Succession (Amendment) Act, 2002 (Central Act No. 26 of 2002), which has been passed by the Parliament and assented to by the President of India on 27-5-2002 and published in the Gazette of India, Extraordinary, Part II, Section 1, dated 28-5-2002 is hereby published for the general information of the public.

S. G. Marathe, Under Secretary (Drafting).

Panaji, 10th January, 2003.

THE INDIAN SUCCESSION (AMENDMENT) ACT, 2002

AN

ACT

further to amend the Indian Succession Act, 1925.

BE it enacted by Parliament in the Fifty-third Year of the Republic of India as follows:—

1. *Short title.*— This Act may be called the Indian Succession (Amendment) Act, 2002.

2. *Amendment of section 32.*— In section 32 of the Indian Succession Act, 1925, (hereinafter referred to as the principal Act), the *Explanation* shall be omitted.

3. *Amendment of section 213.*— In section 213 of the principal Act, in sub-section (2), after the word "Nuhammadans", the words "or Indian Christians" shall be inserted.

Department of Public Works

Office of Commissioner & Secretary

Order

C&S(PWD)/CAB-NOTE/9565/2002

Sanction is hereby accorded for creation/upgradation of the following posts in the Public Works Department in the pay scale shown against each post with immediate effect in the first instance:—

Sr. No.	Name of the existing post with existing pay scale	No. of Posts	Name of the Upgraded and redesignated post with pay scale
1	2	3	4
1.	Chief Engineer (Rs. 18400-22400)	1	Principal Chief Engineer (Rs. 18400 - 22400+Special Pay of Rs. 2000/- per month.
2.	Superintending Engineer (Rs. 12000-16500)	2	Chief Engineer (Rs. 18400-22400) (N. B. CE (PWD)-I, CE(PWD)-II)

2. The Salary will be drawn from the same Budget head in which the post of Chief Engineer and Superintending Engineer are reflected.

3. This issues with the concurrence of Finance (Revenue & Control) Department and Administrative Reforms Department vide their U. O. No. 3590-F dated 13-12-02 and U.No. US(AR)/1788-A/F dated 13-12-02 respectively.

By order and in the name of the Governor of Goa.

Rina Ray, Commissioner & Secretary (PWD).

Panaji, 10th March, 2003.

Errata

In the Notification No. 7/28/2002/LA dated 23rd January, 2003 from Department of Law and Judiciary (Legal Affairs Division) of Extraordinary Official Gazette, Series I, No. 43 dated 23-1-2003, the following may be corrected:

On page 986 under Part V, the heading "Public Health Safety and Convenience" may be read as "Public Health, Safety and Convenience"

On page 989 under Part VI, the heading "Land Buildings and Streets" may be read as "Land, Buildings and Streets"

On page 996 under Part I of Chapter I sub-section (3) may be read as:

"(3) It shall come into force on such date as the State Government may, by notification, appoint in this behalf and different dates may be appointed for such or different areas of Schedule I, different Chapters or sections of this Act." instead of what has been published.

On page 1016 under Chapter IV the heading "Municipal Offices and Servants" may be read as "Municipal Officers and Servants"

On page 1070 the last line "excess of four hundred weights;" may be read as "excess of four hundred kilograms;"

On page 1103 under sub-section (6) of section 322 in the fifth line the word "seen" may be read as "see"

On page 1114 under sub-section (1) of section 361 in the second line the number "389" may be read as "360"

On page 1117 under sub-section (1) of section 375 in the 2nd line the number "287" may be read as "374"

On page 1130 under sub-section (40)(d) of section 386 the words "may be directed" be read as "may be direct;"

On page 1141 under Part XII of Chapter XXXVI under sub-section (3) of section 399 the word "district" may be read as "District"

Government Printing Press

Notice

The subscribers to the Official Gazette are kindly reminded that their present subscription term ends on the 31st March, 2003, being the end of financial year.

In case they wish to continue to be subscribers for the ensuing financial year of 2003-2004 they have to renew their subscriptions from 1st April, 2003.

Subscriptions also can be opened for half year i.e. from 1st April, 1st July or 1st October or for any quarter, beginning on 1st April, 1st July, 1st October or 1st January.

Renewal of subscription from 1st April should be effected on or before 31st March, 2003 in order to avoid interruption in the despatch of copies of the Gazette. It should be noted that, in case the subscription is not opened/renewed before the commencement of the period to which it refers, the subscribers will be entitled to receive copies of the Gazette only from the date the subscription is actually opened/renewed.

The subscription charges are accepted either in cash, postal order or demand draft drawn only, on State Bank of India, Panaji, in favour of the Director, Printing and Stationery, Panaji-Goa. Remittances by cheques or any other form of payment will not be accepted.

The payment of subscriptions will also be accepted at the Margao Branch of this Office situated in the Comunidade Building at Margao.

The revised subscription rates, with effect from 1-1-2000 are as follows:

SUBSCRIPTION RATES (Within the Union of India)

	All 3 Series	Series I	Series II	Series III
	Rs. P.	Rs. P.	Rs. P.	Rs. P.
For any quarter	220.00	120.00	100.00	120.00
(Postage)	20.00	10.00	10.00	10.00
For half year	300.00	150.00	120.00	150.00
(Postage)	40.00	20.00	20.00	20.00
For any period exceeding 6 months upto one year...	480.00	240.00	200.00	240.00
(Postage)	80.00	40.00	40.00	40.00

The postal charges indicated above are provisional and may be changed at any time during the subscription period.